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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
LLC,

17 Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF LINDSAY COOPER
IN SUPPORT OF PLAINTIFF WAYMO
LLC'S ADMINISTRATIVE MOTION TO
FILE UNDER SEAL ITS REPLY
MEMORANDUM OF LAW IN SUPPORT
OF ITS MOTION FOR JURY
INSTRUCTIONS BASED ON
SPOILIATION**

1 I, Lindsay Cooper, declare as follows:

2 1. I am an attorney licensed to practice in the State of California and am admitted to
3 practice before this Court. I am an associate at the law firm Quinn Emanuel Urquhart & Sullivan,
4 LLP, counsel for the Plaintiff Waymo LLC (“Waymo”). I have personal knowledge of the matters set
5 forth in this Declaration, and if called as a witness I would testify competently to those matters.

6 2. I make this declaration in support of Waymo’s Administrative Motion to File Under
7 Seal (“Waymo’s Administrative Motion”) confidential information in its Reply Memorandum of Law
8 In Support Of Its Motion for Jury Instruction Based on Spoliation (“Waymo’s Reply”). Waymo’s
9 Administrative Motion seeks an order sealing the following materials:

Document	Portions to Be Filed Under Seal	Designating Party
Waymo’s Reply	Highlighted in blue	Defendants
Exhibit 1 to Waymo’s Reply	Entire document	Defendants

13 3. Waymo’s Reply and exhibits contain information that Defendants have designated as
14 confidential and/or highly confidential.

15 4. In addition, portions of the Reply (highlighted in yellow) contain references to a letter
16 submitted to the Court by the United States Attorney, which the Court has held “shall be kept under
17 seal under further order of the Court.” (Dkt. 2260.)

18 5. Waymo takes no position on the merits of sealing the designated material, and expects
19 Defendants to file one or more declarations in accordance with the Local Rules.

20 I declare under penalty of perjury under the laws of the State of California that the foregoing is
21 true and correct, and that this declaration was executed in San Francisco, California, on November 24,
22 2017.

23 By /s/ Lindsay Cooper

24 Lindsay Cooper
25 Attorneys for WAYMO LLC

26 **SIGNATURE ATTESTATION**

1 Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the
2 filing of this document has been obtained from Lindsay Cooper.

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4 /s/ Charles K. Verhoeven
Charles K. Verhoeven
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